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Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him

Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him

Note by the Secretary-General

1. I have the honour to refer to General Assembly resolutions 1759 (XVII), 69/246 and 70/11 concerning the investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him. In accordance with paragraph 1 of resolution 69/246, on 16 March 2015 I appointed the Independent Panel of Experts to examine and assess the probative value of new information relating to the deaths of the former Secretary-General and those accompanying him. After the Panel concluded its work in June 2015, by a letter dated 2 July 2015 addressed to the President of the General Assembly (A/70/132), I transmitted the report of the Panel and commented on the progress made by it. As I noted in that letter, the report of the Panel constitutes an indispensable step towards fulfilling our shared responsibility to establish the facts after these many years, and represents a significant contribution to the search for the truth about the events of 17 and 18 September 1961.

2. It will be recalled that while the Panel concluded that new information and analysis showed that certain hypotheses of the possible causes of the crash lacked merit, it ultimately found significant new information that it assessed as having sufficient probative value to continue to pursue aerial attack or other interference as a hypothesis of the cause of the crash. It specifically concluded that certain information "may also provide an appreciable lead in pursuing the truth of the probable cause or causes of the air crash and tragic deaths".

3. Following consideration of the report of the Panel, the General Assembly, in resolution 70/11, reiterated its calls for full disclosure of information and cooperation from Member States, and requested that I pursue pending requests for information which the Panel had made to Member States, but to which full

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responses had not yet been received. In resolution 70/11, the General Assembly also requested that I explore the feasibility of the establishment of a central archival holding or other holistic arrangement, as also recommended by the Panel.

4. As described in the preceding paragraph, at the date of the report of the Panel, certain requests for information made by the Panel to Member States remained pending. Accordingly, I requested the United Nations Legal Counsel to engage with the Member States concerned to follow up on the unfulfilled aspects of the Panel's requests for specific information. I further requested the Legal Counsel to receive and review any additional new information provided by Member States or by other sources in a focused and concerted examination of whether it alters the probative value of the information currently in our possession. On 18 November 2015, the United Nations Legal Counsel wrote to representatives of Belgium, the Republic of South Africa, the United Kingdom of Great Britain and Northern Ireland, and the United States of America to reiterate the Panel's unfulfilled requests for specific information.

5. In the letter dated 18 November 2015 addressed to the Permanent Representative of Belgium to the United Nations, reference was made to paragraph 114 of the Panel's report and its unanswered query regarding whether Belgium had among its files and records material related to the possible existence of a pilot by the name "Beukels". A response was received from the Permanent Mission of Belgium on 11 January 2016, in which it was confirmed that there was no record related to the existence of a pilot by the name "Beukels". A copy of the letter to the Permanent Representative of Belgium and the response are provided as annex I to the present note.

6. In the letter dated 18 November 2015 addressed to the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, reference was made to its response to the Panel of 10 June 2015, and a request was made that the Government consider releasing certain materials to which unrestricted access had not been given, without any redactions. The Government was also requested to confirm that its search of "all relevant UK departments" included a search of "all security and intelligence agencies". A response was received from the Permanent Mission of the United Kingdom on 23 June 2016, in which it indicated that its position on release of information had not changed since its letter to the Panel of 10 June 2015. A copy of the letter to the Permanent Representative of the United Kingdom and the response are provided as annex II to this note.

7. In the letter dated 18 November 2015 addressed to the Permanent Representative of the United States of America to the United Nations, reference was made to paragraphs 84 and 94 of the Panel's report. Specifically, responses were sought to the Panel's unanswered queries related to records concerning the possible service of a Mr. Southall, a Mr. Abram and a Mr. Doyle, as well as the possible presence of and transmissions from two United States Air Force aircraft in Ndola on 17 and 18 September 1961. A response was received from the United States Mission on 10 June 2016. The response stated that, regarding Mr. Southall, information available indicated that he joined the Navy in 1955 and was released from active duty in 1969, and that he retired from the Naval Reserve in 1978 at the rank of commander. Further information regarding Mr. Southall's situation was not provided. Regarding Mr. Abram, the response stated that the United States Air Force

had conducted a search and found no information responsive to the Panel's queries. Regarding Mr. Doyle, the response stated that in the early 1960s, Mr. Doyle worked for the Central Intelligence Agency in the Congo region. In relation to the possible presence of and transmissions from two United States Air Force aircraft in Ndola on 17 and 18 September 1961, the response stated that the United States Air Force had conducted a search and had not found any documents or information regarding the presence of any United States Air Force aircraft on the tarmac at Ndola airport in September of 1961. A copy of the letter to the Permanent Representative of the United States of America and the response are provided as annex III to this note.

8. In the letter dated 18 November 2015 addressed to the Permanent Representative of South Africa, reference was made to the Panel's letter of 23 April 2015. That letter referred to enquiries regarding a file passed to South Africa's Truth and Reconciliation Commission in 1998 which was said to contain documents referring to an operation code-named "Celeste", and to the possible identity of a South African national named "Swanepoel". In a response of 1 July 2016, the Permanent Mission of South Africa noted "a revelation made during the Republic of South Africa's Truth and Reconciliation Commission (TRC) hearings in the 1990s pointing to the possible involvement of an 'SA Institute for Maritime Research (SAIMR)' in the death of Mr. Hammarskjöld". The response indicated the full support of South Africa regarding the investigation, in compliance with the above-cited General Assembly resolutions. It further stated that the Department of Justice and Constitutional Development had directed that a search be undertaken for any relevant documents, records or information, following which the United Nations request for such information would be considered in line with the relevant constitutional and legal requirements of the Republic of South Africa. The response did not specifically address other records, including regarding an individual named "Swanepoel". A copy of the letter to the Permanent Representative of South Africa and the response are provided as annex IV to this note.

9. Regarding the responses to my reiteration of the Panel's unanswered requests, I note that the response received from Belgium does not add to the existing body of information. I further note that the response received from the United Kingdom confirms the information shared with the Panel on 10 June 2015. The response from the United States confirms certain facts considered by the Panel, and answers the query regarding Mr. Doyle. Specifically, regarding Mr. Southall, the United States had previously confirmed that he was an active member of the United States Navy at the relevant time. Further details of the nature of his service, including the location at which he was stationed, have not been provided. Regarding Mr. Abram, no information has been provided. Regarding Mr. Doyle, his service with the Central Intelligence Agency in the Congo region in the early 1960s has been verified. Having considered the foregoing, I note that the responses received from Belgium, the United Kingdom and the United States do not appear to alter the conclusions reached by the Panel, in particular in respect of its assessment that sufficient probative value exists to continue to pursue aerial attack or other interference as a hypothesis of the cause of the crash.

10. Regarding the response received from South Africa, it appears possible that certain documents, if they were to be originals, have not been seen by any prior investigation. The copies of these documents, which the Panel made reference to,

apparently relate to a purported "Operation Celeste", the stated objective of which was to "remove" Hammarskjöld. The Panel was not able to conclude whether such documents might be authentic or not, given that it had only "poor quality copies". If it is the case that original documents may now be available from South Africa, it may be possible to conduct forensic or other analyses to make a determination of their authenticity. Whether the documents are authentic or not would allow the hypothesis relating to "Operation Celeste" to be either supported or dispelled, either of which would be a contribution to the historical record.

11. Since the Panel concluded its work, communications have also been received from various individuals, and continue to be received even up to the date of the present note. The communications are not comprehensive to the extent that I can conclude whether they may ultimately affect the probative value of the information considered by the Panel. In my view, these communications appear to represent lines of enquiry that are not yet fully explored.

12. In my letter dated 2 July 2015 addressed to the President of the General Assembly, I noted that a further inquiry or investigation would be necessary. I find that this conclusion still stands. This appears to have also been foreseen by the General Assembly, when it "recogniz[ed] that a further inquiry or investigation would be necessary to finally establish the facts of the matter", in resolution 70/11. Any such further inquiry or investigation would, however, benefit from an assessment of the potential new information, including any from South Africa. The General Assembly may therefore wish to consider first appointing, or authorizing me to appoint, an eminent person or persons to review the potential new information, including that which may be available from South Africa. Thereupon, the eminent person or persons would be in a position to determine the scope that any further inquiry or investigation should take.

13. I would again urge all Member States to continue their search for relevant documents and information, and to review for potential disclosure information which remains classified or undisclosed for other reasons. I have declassified those archives of the United Nations for which I am responsible under the relevant rules and regulations, some of which were, at the time of the report of the Panel, still classified at a confidential or strictly confidential level.

14. In line with the recommendation of the Panel and the request of the General Assembly in resolution 70/11, I also explored "the feasibility of the establishment of a central archival holding or other holistic arrangement that would enable access by electronic or other appropriate means to those records and archives by the United Nations and any other authorized parties with a view to ensuring their continued and enhanced preservation and access". To this end, a list of institutions and individuals that may hold records or archives relevant to the matter has been compiled, and the United Nations has commenced the collection of inventories of relevant records and archives. Once a sufficient number of responses have been received to create an initial catalogue of the totality of relevant records and archives, and notwithstanding that by its nature such a catalogue is likely to continue to grow over time, appropriate arrangements will need to be made for the management of and access to this catalogue, which could form the basis for a central archival holding. An initial assessment suggests that there is likely to be a significant amount of material, with much of it available in electronic form. Therefore, a feasible approach may be for a

single entity to be provided electronic copies of all relevant records and archives, and to maintain an electronic database of these records, as a central archival holding.

15. It remains our shared responsibility to pursue the full truth concerning the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and the others accompanying him. To that end, I again call on the General Assembly to reiterate its message to Member States, further to paragraph 2 of its resolutions 69/246 and 70/11, to ensure that any relevant records that remain classified, more than 50 years after the fact, are declassified or otherwise made available for review by any eminent person or persons whom the Assembly may wish to entrust with this mandate. As I have previously noted, this may be our last chance to find the truth. Seeking a complete understanding of the circumstances is our solemn duty to my illustrious and distinguished predecessor, Dag Hammarskjöld, to the other members of the party accompanying him, and to their families.

Annex I

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS-ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
TELEPHONE NO: (212) 963-1234; FAX NO: (212) 963-3155

18 November 2015

Excellency,

I have the honor to refer to the General Assembly resolution 69/246 of 29 December 2014 requesting the Secretary-General to appoint an Independent Panel of Experts in order to examine and assess the probative value of new information related to the tragic death of former Secretary-General Dag Hammarskjöld and of members of the party accompanying him. I have further the honor to refer to the letter dated 2 July 2015 from the Secretary-General addressed to the President of the General Assembly transmitting the report of the Panel together with a transmittal letter from the Head of the Panel (A/70/132). On behalf of the Secretary-General, I wish to express his sincere appreciation for the information and material provided by your Government in order to assist the Panel in its work.

It will be recalled that, in transmitting the Panel's report to the President of the General Assembly, the Secretary-General endorsed the Panel's views that "the final revelation of the whole truth about the conditions and circumstances resulting in the tragic death … would still require the United Nations, as a matter of continuity and priority, to further critically address remaining information gaps, including in the existence of classified materials and information held by Member States and their agencies that may shed further light on this fatal event and its probable cause or causes". Of particular relevance is material and information which relates to the information that the Panel has assessed as having moderate probative value.

As stated in his letter to the President of the General Assembly, the Secretary-General requested that I engage with the Member States concerned to follow up on the unfulfilled aspects of the Panel's requests for information. In this regard, I wish to refer to paragraph 114 of the Panel's report regarding the Panel's unanswered query to your Government "whether it has among its files and records material related to the possible existence of a pilot by the name "Beukels". It will be recalled that with its letter, dated 23 April 2015, a copy of which is attached, the Panel sought such information from your Government.

Her Excellency
Ms. Bénédicte Frankinet
Permanent Representative of Belgium
to the United Nations
New York

The Secretary-General is of the view that it is the shared responsibility of the Organization and its Member States "to pursue the full truth concerning the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and the others accompanying him". To this end, I respectfully request that the relevant authorities of your Government share with the United Nations any material or information that they may have in relation to the above-mentioned subject.

Please accept, Excellency, the assurances of my highest consideration.

Miguel de Serpa Soares
Under-Secretary-General for Legal Affairs
and United Nations Legal Counsel

Représentation Permanente du Royaume de Belgique
auprès des Nations Unies

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RÉF.: NYK UNO/JUR 01/NV/ami/2016/009 CONFIDENTIEL

Le Représentant permanent de la Belgique auprès de l'Organisation des Nations Unies présente ses compliments au Secrétaire général adjoint pour les Affaires juridiques de l'Organisation des Nations Unies et a l'honneur de se référer à la note verbale du 18 novembre 2015 concernant « L'Enquête sur les conditions et les circonstances de la mort tragique de Dag Hammarskjold et des personnes qui l'accompagnaient ».

Le Représentant permanent de la Belgique auprès de l'Organisation des Nations Unies a l'honneur de faire savoir au Secrétaire général adjoint pour les Affaires juridiques de l'Organisation des Nations Unies que la Belgique confirme n'avoir trouvé aucune trace de l'existence d'un pilote dénommé Beukels, ni dans les archives diplomatiques ni dans les archives de sociétés privées (Société générale, Union Minière et Sibeka) conservées aux Archives générales du Royaume. A toute fin utile, il précise que ces archives sont d'accès public et consultables sur demande.

New York, le 11 janvier 2016

Le Secrétaire général adjoint pour les Affaires juridiques
de l'Organisation des Nations Unies
Bureau S-3620
New York

.be

Annex II

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS-ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
TELEPHONE NO: (212) 963-1234; FAX NO. (212) 963-1121

18 November 2015

Excellency,

I have the honour to refer to General Assembly resolution 69/246 of 29 December 2014 requesting the Secretary-General to appoint an Independent Panel of Experts in order to examine and assess the probative value of new information related to the tragic death of former Secretary-General Dag Hammarskjöld and of members of the party accompanying him. I have the further honour to refer to the letter dated 2 July 2015 from the Secretary-General addressed to the President of the General Assembly transmitting the report of the Panel together with a transmittal letter from the Head of the Panel (A/70/132).

It will be recalled that, in transmitting the Panel's report to the President of the General Assembly, the Secretary-General fully endorsed the Panel's views that "the final revelation of the whole truth about the conditions and circumstances resulting in the tragic death ... would still require the United Nations, as a matter of continuity and priority, to further critically address remaining information gaps, including in the existence of classified material and information held by Member States and their agencies that may shed further light on this fatal event and its probable cause or causes". Of particular relevance is material and information which relates to the information that the Panel has assessed as having moderate probative value.

As stated in his letter to the President of the General Assembly, the Secretary-General requested that I engage with the Member States concerned to follow up on the unfulfilled aspects of the Panel's requests for information. In this regard, I wish to refer to the Panel's report, and more specifically to the Panel's letter, dated 23 April 2015. Your Government's response to this letter, dated 10 June 2015, informed that Panel as follows:

> "The vast majority of UK material relating to these events has already been released to The National Archives at Kew and is available to the public there. The FCO has co-ordinated a search across all relevant UK departments. None of these departments have identified any pertinent material."

His Excellency
Mr. Matthew Rycroft, CBE
Permanent Representative of the United Kingdom
to the United Nations
New York

"I have also commissioned a review of all the retained material listed in your letter to determine whether this material can now be released. This review has been carried out on the basis that all relevant information should be released to the Panel unless it is absolutely necessary to continue to withhold it."

"I regret that our review has determined that we are not in a position to release any of the retained material. We have reviewed all of the individual redactions and we have concluded that this information must continue to be withheld under Section 3(4) of the UK Public Records Act. In all cases the reason for these redactions is that the information cannot be released for security-related reasons."

"The redactions consist of individual pieces of text, within otherwise open files. We are not retaining any whole documents or files. The total amount of information withheld is very small and most of the redactions only consist of a few words. The limited nature of these redactions can be seen in the files which are openly available at The National Archives. Our assessment is that all information of value to the Panel has already been released to The National Archives in the files you have identified and that release of the redacted material would not provide anything of additional value for the Panel's work."

As stated by the Secretary-General, it is the shared responsibility of the Organization and its Member States "to pursue the full truth concerning the conditions and circumstances resulting in the tragic death of Dag Hammarskjold and the others accompanying him". While your Government has informed the Panel that the information withheld "is very small and most of the redactions consist of a few words", I respectfully request that your Government consider releasing the materials in question without any redactions. I also respectfully request that your Government confirm that its search of "all relevant UK departments" has included a search of all security and intelligence agencies, as has been indicated by other Member States of which similar information has been sought.

Please accept, Excellency, the assurances of my highest consideration.

Miguel de Serpa Soares
Under-Secretary-General for Legal Affairs
and United Nations Legal Counsel

United Kingdom
Mission to the
United Nations

The Permanent Representative,
Matthew Rycroft CBE
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885 Second Avenue
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23 June 2016

Miguel de Serpa Soares
Under Secretary-General for Legal Affairs
The Legal Counsel
Office of Legal Affairs
S-3620
United Nations
New York

Dear Under Secretary General

DAG HAMMARSKJÖLD PANEL

Thank you for your letter of 17 March. I am sorry not to have been able to reply until now.

I refer you again to the letter dated 10 June 2015 from the Foreign and Commonwealth's Departmental Records Officer, Mr Robert Deane. The United Kingdom's position on release of information has not changed since that letter. The United Kingdom considered very carefully whether there was any material we could release before sending the June 2015 letter explaining that we are not in a position to release any of the retained material. Our position remains the same and we are not able to release the materials in question without any redactions.

As set out in the United Kingdom's letter of June 2015, the redactions consist of individual pieces of text, within otherwise open files. The total amount of information withheld is very small and most of the redactions only consist of a few words. The limited nature of these redactions can be seen in the files which are openly available at The National Archives.

You have also asked whether our searches included a search of all security and intelligence agencies. On 10 May 2016, in a response to a Parliamentary Question on

this subject, the Secretary of State for Foreign and Commonwealth Affairs, the Rt Hon Philip Hammond MP, said that "the Foreign and Commonwealth Office (FCO) coordinated a search across all relevant UK Government departments."

Our assessment is still that all information of value to the Panel has already been released to The National Archives and that release of the redacted material would not provide anything of additional value for the Panel's work.

Yours sincerely,

Matthew Rycroft

Annex III

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
TELEPHONE NO. (212) 963-1234, FAX NO. (212) 963-1121

18 November 2015

Excellency,

I have the honor to refer to the General Assembly resolution 69/246 of 29 December 2014 requesting the Secretary-General to appoint an Independent Panel of Experts in order to examine and assess the probative value of new information related to the tragic death of former Secretary-General Dag Hammarskjöld and of members of the party accompanying him. I have further the honor to refer to the letter dated 2 July 2015 from the Secretary-General addressed to the President of the General Assembly transmitting the report of the Panel together with a transmittal letter from the Head of the Panel (A/70/132). On behalf of the Secretary-General, I wish to express his sincere appreciation for the information and material provided by your Government in order to assist the Panel in its work.

It will be recalled that, in transmitting the Panel's report to the President of the General Assembly, the Secretary-General endorsed the Panel's views that "the final revelation of the whole truth about the conditions and circumstances resulting in the tragic death ... would still require the United Nations, as a matter of continuity and priority, to further critically address remaining information gaps, including in the existence of classified materials and information held by Member States and their agencies that may shed further light on this fatal event and its probable cause or causes". Of particular relevance is material and information which relates to the information that the Panel has assessed as having moderate probative value.

As stated in his letter to the President of the General Assembly, the Secretary-General requested that I engage with the Member States concerned to follow up on the unfulfilled aspects of the Panel's requests for information. In this regard, I wish to refer to paragraphs 84 and 94 of the Panel's report regarding information not yet provided by your Government. Specifically, I refer to the following requests from the Head of the Panel. In the letter, dated 23 April 2015, the Panel indicated to your Government as follows:

> "the Panel would welcome information about whether Mr. Southall and Mr. Abram were enlisted in the US Navy and Air Force, respectively, or other branches of the US Government at the time in question; stationed in Cyprus and Greece, respectively; and whether and in what capacity they worked in support of the National Security Agency at that time".

Her Excellency
Ms. Samantha Power
Permanent Representative of the United States
to the United Nations
New York

"The Panel notes the Commission's reporting on the presence of two US Air Force aircraft, possibly DC-3 Dakotas, on the tarmac at Ndola airfield on the night of the crash, which Rhodesian Royal Air Force Squadron Leader Mussell reported to the UN inquiry of 1962 were 'sitting on the airfield with their engines running'. The latter observation was assessed at the time as inviting the possibility those on board were listening to radio communications in the area or transmitting information to another station or both. In assessing the probative value of this information, the Panel respectfully requests the competent US authorities to search their records for and share with the Panel any information they may have in their possession obtained or transmitted by those aboard the two US Air Force aircraft that could shed light on the circumstances relating to the tragic crash of flight SE-BDY."

In the letter dated 28 May 2015, the Panel indicated to your Government as follows:

"The Panel would be grateful for information about whether Mr. Doyle was a member of the Central Intelligence Agency or other US Government department or agency and, if so, whether he was posted to the Congo or the surrounding region at or around the time in question."

As stated by the Secretary-General, it is the shared responsibility of the Organization and its Member States "to pursue the full truth concerning the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and the others accompanying him". To this end, I respectfully request that the relevant authorities of your Government share with the United Nations any material or information that they may have in their custody or possession in response to the above queries from the Panel, which have remained unanswered.

Please accept, Excellency, the assurances of my highest consideration.

Miguel de Serpa Soares
Under-Secretary-General for Legal Affairs
and United Nations Legal Counsel

UNITED STATES MISSION TO THE UNITED NATIONS

799 United Nations Plaza
New York, N. Y. 10017-3505

June 10, 2016

Dear Under-Secretary-General Soares,

I am writing with reference to your letters dated November 18, 2015 and March 17, 2016. I am responding to your letters on behalf of Ambassador Power.

In your letters, you made reference to the Independent Panel of Experts which was charged with examining and assessing the probative value of new information related to the tragic death of former Secretary-General Dag Hammarskjold and of members of the party accompanying him, and you expressed your appreciation for the information and material provided by the United States Government in order to assist the Panel in its work. In your letters, you also requested that the relevant authorities of the US Government share with the United Nations any material or information that they may have in their custody or possession in response to the following queries of the Panel. The US Government's response follows each of the queries below.

1. *Query:* "The Panel would welcome information about whether Mr. Southall and Mr. Abram were enlisted in the US Navy and Air Force, respectively, or other branches of the US Government at the time in question; stationed in Cyprus and Greece, respectively; and whether and in what capacity they worked in support of the National Security Agency at that time."

   Response: As noted in my letter dated June 9, 2015, with respect to Mr. Southall, we have received information that indicates that he joined the Navy in 1955 and was released from active duty in 1969, and that he retired from the Naval Reserve in 1978 at the rank of commander. The US Navy has conducted a search and has found no further information regarding Mr. Southall responsive to the above queries. The US Air Force has conducted a search and has found no information regarding Mr. Abram responsive to the above queries. We are not aware of any other information in response to the above queries.

Mr. Miguel de Serpa Soares
Under-Secretary General and Legal Counsel
Office of Legal Affairs
United Nations S-3620
New York, New York

2. Query: "The Panel notes the Commission's reporting on the presence of two US Air Force aircraft, possibly DC-3 Dakotas, on the tarmac of Ndola airfield on the night of the crash, which Rhodesian Royal Air Force Squadron Leader Mussell reported to the UN inquiry of 1962 were 'sitting on the airfield with their engines running.' The latter observation was assessed at the time as inviting the possibility those on board were listening to radio communications in the area or transmitting information to another station or both. In assessing the probative value of this information, the Panel respectfully requests the competent UB authorities to search their records for and share with the Panel any information they may have in their possession obtained or transmitted by those aboard two US Air Force aircraft that could shed light on the circumstances relating to the tragic crash of flight SE-BDY."

Response: The United States Air Force has conducted a search and has not found any documents or information regarding the presence of any US Air Force aircraft on the tarmac at Ndola airport in September of 1961.

3. Query: "The Panel would be grateful for information about whether Mr. Doyle was a member of the Central Intelligence Agency or other US Government department or agency and, if so, whether he was posted to the Congo or the surrounding region at or around the time in question."

Response: In the early 1960's, Mr. Doyle worked for the Central Intelligence Agency in the Congo region.

I hope that the information that the United States has provided has been of assistance to you.

Sincerely,

Mark Simonoff
Minister Counsellor
Legal Affairs

Annex IV

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS-ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
TELEPHONE NO. (212) 963-1234, FAX NO. (212) 963-1121

18 November 2015

Excellency,

I have the honor to refer to the General Assembly resolution 69/246 of 29 December 2014 requesting the Secretary-General to appoint an Independent Panel of Experts in order to examine and assess the probative value of new information related to the tragic death of former Secretary-General Dag Hammarskjöld and of members of the party accompanying him. I have further the honor to refer to the letter dated 2 July 2015 from the Secretary-General addressed to the President of the General Assembly transmitting the report of the Panel together with a transmittal letter from the Head of the Panel (A/70/132).

It will be recalled that, in transmitting the Panel's report to the President of the General Assembly, the Secretary-General endorsed the Panel's views that "the final revelation of the whole truth about the conditions and circumstances resulting in the tragic death ... would still require the United Nations, as a matter of continuity and priority, to further critically address remaining information gaps, including in the existence of classified materials and information held by Member States and their agencies that may shed further light on this fatal event and its probable cause or causes". Of particular relevance is material and information which relates to the information that the Panel has assessed as having moderate probative value.

As stated in his letter to the President of the General Assembly, the Secretary-General requested that I engage with the Member States concerned to follow up on the unfulfilled aspects of the Panel's requests for information. In this regard, I wish to refer generally to the Panel's report and more specifically to the Panel's letter, dated 23 April 2015, requesting that the competent South African authorities search for and share the information and material they may have in their possession in respect of the queries set forth in that letter. A copy of the Panel's letter, dated 23 April 2015, which has remained unanswered, is attached.

His Excellency
Mr. Jeremiah Nyamane Kingsley Mamabolo
Permanent Representative of the Republic
of South Africa to the United Nations
New York

As stated by the Secretary-General, it is the shared responsibility of the Organization and its Member States "to pursue the full truth concerning the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and the others accompanying him". To this end, I respectfully request that the relevant authorities of your Government share with the United Nations any material or information that they may have in response to the Panel's specific requests dated 23 April 2015 they may have in their custody or possession.

Please accept, Excellency, the assurances of my highest consideration.

Miguel de Serpa Soares
Under-Secretary-General for Legal Affairs
and United Nations Legal Counsel

Note No 273 /2016

The Permanent Mission of the Republic of South Africa to the United Nations presents its compliments to the Office of Legal Affairs and Legal Counsel of the United Nations, and has the honour to refer to the letter dated 18 November 2015 requesting assistance from the South African authorities in acquiring possible new information relating to the death of former UN Secretary-General Mr Dag Hammarskjöld in 1961.

The Republic of South Africa wishes to assure the Office of Legal Affairs of its full support of the investigation and for the request to provide the Secretary-General with relevant information related to the death of Mr Dag Hammarskjöld and the members of the party accompanying him. The Republic of South Africa has taken note of the Report of the Independent Panel of Experts, which, amongst others, notes a revelation made during the Republic of South Africa's Truth and Reconciliation Commission (TRC) hearings in 1990s pointing to the possible involvement of an "SA Institute for Maritime Research (SAIMR)" in the death of Mr Hammarskjöld.

The Department of Justice and Constitutional Development has directed that a search be undertaken for any documents, records or information in compliance with the above UN General Assembly resolution. The Secretary-General, through the Office of Legal Affairs will be kept abreast of developments once the documentation has been located and the request from the Office of Legal Affairs will be considered in-line with the relevant constitutional and legal requirements of the Republic of South Africa.

The Permanent Mission of the Republic of South Africa to the United Nations avails itself of this opportunity to renew its highest consideration to the Office of Legal Affairs and Legal Counsel of the United Nations.

1 July 2016
New York

PERMANENT MISSION OF SOUTH AFRICA TO THE UNITED NATIONS
NEW YORK

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